

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **RECOMBINANT ANTIBODIES AND IMMUNOCONJUGATES TARGETED TO CD-22 BEARING CELLS AND TUMORS** the specification of which was filed on March 19, 1998 as PCT International Application No. PCT/US98/05453 (U.S. serial No. 09/381,497).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed<br>Under 35 USC 119 |
|---------|-----------------|----------------|--------------------------------------|
|         |                 |                | Yes      No                          |
|         |                 |                | Yes      No                          |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date    |
|-----------------|----------------|
| 60/041,437      | March 20, 1997 |
|                 |                |

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status   |         |           |
|-----------------|----------------|----------|---------|-----------|
|                 |                | Patented | Pending | Abandoned |
|                 |                | Patented | Pending | Abandoned |
|                 |                | Patented | Pending | Abandoned |

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) of the Government of the United States of America as represented by the Secretary of the Department of Health and Human Services, Office of Technology Transfer, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.



Robert Benson, Reg. No. 33,612  
Steven M. Ferguson, Reg. No. 38,448  
James C. Haight, Reg. No. 25,588  
John P. Kim, Reg. No. 38,514

Susan S. Rucker, Reg. No. 35,762  
David R. Sadowski, Reg. No. 32,808  
Jack Spiegel, Reg. No. 34,477

|  |   |
|--|---|
| Send Correspondence to Appointed Associate Attorney or Agent<br>Address:<br><u>John Storella</u><br><u>TOWNSEND and TOWNSEND and CREW LLP</u><br><u>Two Embarcadero Center, 8th Floor</u><br><u>San Francisco, CA 94111-3834</u> | Direct Telephone Calls and Facsimiles to Appointed Associate Attorney or Agent:<br>Name: John Storella<br>Reg. No. 32,944<br>Telephone: 415-576-0200<br>Fax: 415-576-0300 |
|--|---|

|                         |  |                                |                                  |                                 |
|-------------------------|--|--------------------------------|----------------------------------|---------------------------------|
| Full Name of Inventor 1 | Last Name <u>FITZGERALD</u>                        | First Name <u>David</u>        | Middle Name or Initial <u>J.</u> |                                 |
| Residence & Citizenship | City Rockville                                     | State/Foreign Country Maryland | Country of Citizenship US        |                                 |
| Post Office Address     | Post Office Address 1202 Azalea Drive              | City Rockville                 | <u>Md</u>                        | State/Country MD Zip Code 20850 |
| Full Name of Inventor 2 | Last Name <u>PASTAN</u>                            | First Name <u>Ira</u>          | Middle Name or Initial           |                                 |
| Residence & Citizenship | City Potomac                                       | State/Foreign Country Maryland | Country of Citizenship US        |                                 |
| Post Office Address     | Post Office Address 11710 Beall Mountain Road      | City Potomac                   | <u>Md</u>                        | State/Country MD Zip Code 20892 |
| Full Name of Inventor 3 | Last Name <u>MANSFIELD</u>                         | First Name <u>Elizabeth</u>    | Middle Name or Initial           |                                 |
| Residence & Citizenship | City Bethesda                                      | State/Foreign Country Maryland | Country of Citizenship US        |                                 |
| Post Office Address     | Post Office Address 4710 Bethesda Avenue, Apt. 408 | City Bethesda                  | <u>Md</u>                        | State/Country MD Zip Code 20814 |
| Full Name of Inventor 4 | Last Name <u>KREITMAN</u>                          | First Name <u>Robert</u>       | Middle Name or Initial           |                                 |
| Residence & Citizenship | City Potomac                                       | State/Foreign Country Maryland | Country of Citizenship US        |                                 |
| Post Office Address     | Post Office Address 11915 Reynolds Avenue          | City Potomac                   | <u>Md</u>                        | State/Country MD Zip Code 20854 |
| Full Name of Inventor 5 | Last Name  | First Name                     | Middle Name or Initial           |                                 |
| Residence & Citizenship | City   | State/Foreign Country          | Country of Citizenship           |                                 |
| Post Office Address     | Post Office Address                                | City                           | State/Country                    | Zip Code                        |

|                         |                     |                       |                        |          |
|-------------------------|---------------------|-----------------------|------------------------|----------|
| Full Name of Inventor 6 | Last Name           | First Name            | Middle Name or Initial |          |
| Residence & Citizenship | City                | State/Foreign Country | Country of Citizenship |          |
| Post Office Address     | Post Office Address | City                  | State/Country          | Zip Code |
| Full Name of Inventor 7 | Last Name           | First Name            | Middle Name or Initial |          |
| Residence & Citizenship | City                | State/Foreign Country | Country of Citizenship |          |
| Post Office Address     | Post Office Address | City                  | State/Country          | Zip Code |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, Section 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|   |  |   |
|---|--|---|
| Signature of Inventor 1<br><br><b>David J. Fitzgerald</b> | Signature of Inventor 2<br><br><b>Ira Pastan</b> | Signature of Inventor 3<br><br><i>Elizabeth Mansfield</i><br><b>Elizabeth Mansfield</b> |
| Date  | Date   | Date <u>3 February 2000</u>   |
| Signature of Inventor 4<br><br><b>Robert Kreitman</b>     | Signature of Inventor 5                          | Signature of Inventor 6   |
| Date  | Date   | Date  |
| Signature of Inventor 7                                   |  |   |
| Date  |  |   |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DAVID J. FITZGERALD, et al.

Serial No.: 09/381,497

Filed: March 19, 1998

For: RECOMBINANT ANTIBODIES AND  
IMMUNOCOJUGATES TARGETED TO  
CD-22 BEARING CELLS AND TUMORS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Under 37 CFR §1.34(b) and MPEP 402.02, the undersigned principal attorney or agent of record hereby appoints the following representatives from the law firm of TOWNSEND and TOWNSEND and CREW LLP, Two Embarcadero Center, 8th Floor, San Francisco, California 94111-3834, telephone: (415) 576-0200, as associate attorneys and/or patent agents in this application with full powers to prosecute this case and to transact all business in the Patent and Trademark Office connected therewith:

Philip H. Albert, Reg. No. 35,818  
Hector A. Alicea, Reg. No. 40,891  
Randolph T. Apple, Reg. No. 36,429  
Kevin L. Bastian, Reg. No. 34,774  
Guy Chambers, Reg. No. 30,617  
Karen B. Dow, Reg. No. 29,684  
Gregory P. Einhorn, Reg. No. 38,440  
James F. Hann, Reg. No. 29,719  
M. Henry Heines, Reg. No. 28,219  
James M. Heslin, Reg. No. 29,541  
Laurence J. Hyman, Reg. No. 35,551  
Charlie E. Krueger, Reg. No. 30,077

Joe Liebeschuetz, Reg. No. 37,505  
Jeffry S. Mann, Reg. No. 42,837  
Annette S. Parent, Reg. No. 42,058  
Steven W. Parmelee, Reg. No. 31,990  
Timothy L. Smith, Reg. No. 35,367  
William M. Smith, Reg. No. 30,223  
Joseph R. Snyder, Reg. No. 39,381  
John R. Storella, Reg. No. 32,944  
Eugenia Garrett-Wackowski, Reg. No. 37,330  
Ellen Lauver Weber, Reg. No. 32,762  
Kenneth A. Weber, Reg. No. 31,667  
Michael E. Woods, Reg. No. 33,466

Dated: 14 January 2000

Respectfully submitted,

United States Department of Health and Human Services

By Susan S. Riker

Reg. No.: 35,762  
Office of Technology Transfer  
National Institutes of Health  
6011 Executive Boulevard, Suite 325  
Rockville, Maryland 20852  
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|         |                 |                | Yes      No                       |

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James C. Haight, Reg. No. 25,588  
John P. Kim, Reg. No. 38,514

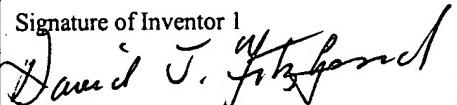
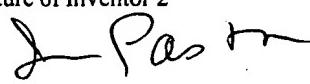
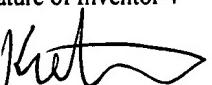
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|--|---|

|                         |  |                                   |                              |                   |
|-------------------------|--|-----------------------------------|------------------------------|-------------------|
| Full Name of Inventor 1 | Last Name<br><b>FITZGERALD</b>                       | First Name<br>David               | Middle Name or Initial J.    |                   |
| Residence & Citizenship | City<br>Rockville                                    | State/Foreign Country<br>Maryland | Country of Citizenship<br>US |                   |
| Post Office Address     | Post Office Address<br>1202 Azalea Drive             | City<br>Rockville                 | State/Country<br>MD          | Zip Code<br>20850 |
| Full Name of Inventor 2 | Last Name<br><b>PASTAN</b>                           | First Name<br>Ira                 | Middle Name or Initial       |                   |
| Residence & Citizenship | City<br>Potomac                                      | State/Foreign Country<br>Maryland | Country of Citizenship<br>US |                   |
| Post Office Address     | Post Office Address<br>11710 Beall Mountain Road     | City<br>Potomac                   | State/Country<br>MD          | Zip Code<br>20892 |
| Full Name of Inventor 3 | Last Name<br><b>MANSFIELD</b>                        | First Name<br>Elizabeth           | Middle Name or Initial       |                   |
| Residence & Citizenship | City<br>Bethesda                                     | State/Foreign Country<br>Maryland | Country of Citizenship<br>US |                   |
| Post Office Address     | Post Office Address<br>4710 Bethesda Avenue, Apt 408 | City<br>Bethesda                  | State/Country<br>MD          | Zip Code<br>20814 |
| Full Name of Inventor 4 | Last Name<br><b>KREITMAN</b>                         | First Name<br>Robert              | Middle Name or Initial       |                   |
| Residence & Citizenship | City<br>Potomac                                      | State/Foreign Country<br>Maryland | Country of Citizenship<br>US |                   |
| Post Office Address     | Post Office Address<br>11915 Reynolds Avenue         | City<br>Potomac                   | State/Country<br>MD          | Zip Code<br>20854 |
| Full Name of Inventor 5 | Last Name  | First Name                        | Middle Name or Initial       |                   |
| Residence & Citizenship | City   | State/Foreign Country             | Country of Citizenship       |                   |
| Post Office Address     | Post Office Address                                  | City                              | State/Country                | Zip Code          |

|                         |                     |                       |                        |          |
|-------------------------|---------------------|-----------------------|------------------------|----------|
| Full Name of Inventor 6 | Last Name           | First Name            | Middle Name or Initial |          |
| Residence & Citizenship | City                | State/Foreign Country | Country of Citizenship |          |
| Post Office Address     | Post Office Address | City                  | State/Country          | Zip Code |
| Full Name of Inventor 7 | Last Name           | First Name            | Middle Name or Initial |          |
| Residence & Citizenship | City                | State/Foreign Country | Country of Citizenship |          |
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| Signature of Inventor 1<br><br>David J. Fitzgerald | Signature of Inventor 2<br><br>Ira Pastan | Signature of Inventor 3<br>Elizabeth Mansfield |
| Date 1/31/00   | Date 1/31/00   | Date   |
| Signature of Inventor 4<br><br>Robert Kreitman    | Signature of Inventor 5  | Signature of Inventor 6                        |
| Date 1/31/00   | Date   | Date   |
| Signature of Inventor 7  |  |  |
| Date   |  |  |